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EXAMINER

KHATRI, PRANAV V

ART UNIT PAPER NUMBER

2872

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/762,987

Applicant(s)

VERNON, ROBERT D.

Examiner

Pranav V. Khatri

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-6, 9-10, 13-14, 16-17, 19-20, 22-25, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by L. Marko (US Patent No. 1,402,532).

Regarding claim 1, L. Marko discloses a mirror comprising (as seen in fig 1): a detachable, household or bathroom mirror (Col 1 lines 10-20, numeral 22 is the first mirror) that is operably combined with a second mirror (15) with a removably attachable fastener (24) and operably positioned at a non parallel angle with respect to the second mirror; wherein the detachable mirror (Col 2 Lines 75-80), when combined with the second mirror and positioned at non-parallel angle (swinging mirrors), creates a multi-panel, multi-angled mirror system (as seen in Fig 1, mirror 22 creates a multi-panel multi-angled system).

Regarding claim 2, L. Marko discloses wherein the system is created from at least two (mirror 15 and 22), separate and distinctly angled, mirrors (as seen in Fig 1).

Regarding claim 3, L. Marko discloses wherein the second mirror is a stationary mirror (15 is stationary with respect to mirrors 22 and 23, as seen in fig 1).

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Regarding claim 4, L. Marko discloses wherein the detachable mirror (22) can be adjustably positioned at many non-parallel angles (Col 2 Lines 75-76, and as seen in fig 1) with respect to the second mirror (15) with a hinge (24).

Regarding claim 5, L. Marko discloses wherein the hinge comprises a living hinge (24), a continuous hinge, or a pin hinge.

Regarding claim 6, L. Marko discloses wherein hinge (24) has two leafs, the first (one on the side of the mirror 26) being permanently affixed to the detachable mirror (22) and the second leaf (which is connected to the side of mirror 15) being permanently affixed to the removably attachable fastener (24).

Regarding claim 9, L. Marko discloses wherein the detachable mirror is portable (Col 1 lines 13-20, if the entire apparatus is light weight and portable, the detachable mirror 22 is light weight and portable, capable of being carried in a hand bag).

Regarding claim 10, L. Marko discloses wherein the detachable mirror (22) is made of lightweight material (Col 1 lines 13-20, if the entire apparatus is light weight, the detachable mirror 22 is light weight).

Regarding claim 13, L. Marko discloses wherein the detachable mirror (22) operates as a side panel in a three-panel system (as seen in fig 1), and is rotatably interchangeable with an opposite-side panel in the three-panel system (if the mirror 22 can be removed for repair or cleaning as stated in Col 2 Lines 75-78, it is interpreted to be interchangeable with mirror 23).

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Regarding claim 14, L. Marko discloses wherein the second mirror is a non-stationary mirror (mirror 15 can be raised upwardly to gain access to the lamp, Col 2 Lines 64-67).

Regarding claim 16, L. Marko discloses wherein the detachable mirror (22) maintains its position with respect to the second mirror (15) (mirror 22 is adjustable, Col 1 line 17).

Regarding claim 17, L. Marko discloses wherein the detachable mirror (22) has a hinge indexing device (24).

Regarding claim 19, L. Marko discloses a mirror panel assembly (Fig 1) comprising: a detachable household or bathroom mirror (Col 1 lines 10-20, numeral 22 is the first mirror); a rotation enabling device (numeral 24 the hinge allows rotation); and a removably attachable fastener (numeral 24 is also interpreted to be the removable fastener with its leaves); wherein the detachable mirror (22) is operably mounted onto a face of a second mirror (15) with removably attachable fastener (24) and operably positioned at a non-parallel angle (swinging mirrors)(Col 2 Lines 75-80) with respect to the face of the second mirror (15).

Regarding claim 20, L. Marko discloses wherein the detachable mirror (22), when combined with the second mirror (15) and positioned at the non-parallel angle, creates a multi-panel, multi-angled mirror system (as seen in fig 1).

Regarding claim 22, the method of creating a portable three-way mirror system is inherently met by the disclosure of the prior art. L. Marko discloses

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securing a rotation enabling device (24) to a portable, light-weight (Col 1 lines 13-20, if the entire apparatus is light weight, the detachable mirror 22 is light weight), household or bathroom mirror (Col 1 lines 10-20, numeral 22 is the first mirror); and securing a removably attachable fastener (numeral 24 is also interpreted to be the removable fastener with its leaves) to the mirror (22 or 23); wherein the mirror (22 or 23) is operably combined with a pre-existing (15) mirror to form a system of at least two, separate and distinctly angled, mirrors (22 and 23, as seen in fig 1).

Regarding claim 23, the method of creating a portable three-way mirror system is inherently met by the disclosure of the prior art. L. Marko discloses removably attaching the at least one removably attachable fastener (24) to a pre-existing mirror (15); and adjusting an angle (swinging mirrors) between the portable mirror (22) and the stationary mirror (15) to create a multi-angled effect (as seen in fig 1).

Regarding claim 24, the method of creating a portable three-way mirror system is inherently met by the disclosure of the prior art. L. Marko discloses wherein the one portable mirror (23) is operably placed towards a left side of the pre-existing mirror (15) and a second portable mirror (22) is operably placed towards a right side of the pre-existing mirror (as seen in fig 1).

Regarding claim 25, the method of creating a portable three-way mirror system is inherently met by the disclosure of the prior art. L. Marko discloses wherein the rotation enabling device comprises a living hinge (24) or a continuous hinge.

Regarding claim 29, the method of creating a portable three-way mirror system is inherently met by the disclosure of the prior art. L. Marko discloses wherein the light-weight mirror (Col 1 lines 13-20, if the entire apparatus is light weight, the detachable mirror 22 is light weight) is operably mounted onto the face of, and adjustably angled by a user (swinging mirror is adjustable) with respect to, the pre-existing mirror (15).

Claims 1-8, 13-17, 19-21, and 27-28 are rejected under 35 U.S.C. 102(b) as being anticipated by C. Shaikun (US Patent No. 3,996,947).

Regarding claim 1, C. Shaikun discloses a mirror comprising (as seen in fig 1): a detachable, household or bathroom mirror (Col 1 lines 20-27, numeral 8 is the first mirror) that is operably combined with a second mirror (4) with a removably attachable fastener (10 and 12) and operably positioned at a non parallel angle with respect to the second mirror (Col 1 lines 9-19, and as seen in fig 1); wherein the detachable mirror (8), when combined with the second mirror (4) and positioned at non-parallel angle, creates a multi-panel, multi-angled mirror system (as seen in Fig 1, mirror 8 creates a multi-panel multi-angled system).

Regarding claim 2, C. Shaikun discloses wherein the system is created from at least two (mirror 8 and 4), separate and distinctly angled, mirrors (as seen in Fig 1).

Regarding claim 3, C. Shaikun discloses wherein the second mirror is a stationary mirror (4 is stationary with respect to mirrors 8 and 6, as seen in fig 1).

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Regarding claim 4, C. Shaikun discloses wherein the detachable mirror (8) can be adjustably positioned at many non-parallel angles (Col 1 lines 9-19, and as seen in fig 1) with respect to the second mirror (4) with a hinge (Fig 3, numeral 22).

Regarding claim 5, C. Shaikun discloses wherein the hinge comprises a living hinge (22 as seen in Fig 3), a continuous hinge, or a pin hinge.

Regarding claim 6, C. Shaikun discloses wherein hinge (22) has two leafs, the first (numeral 16 on the side of the mirror 8) being permanently affixed to the detachable mirror (8) and the second leaf (14) being permanently affixed to the removably attachable fastener (10).

Regarding claims 7, 8 and 15, C. Shaikun discloses wherein the attachable fastener comprises a clip, a hanger, a removable adhesive, or a suction cup (10).

Regarding claim 13, C. Shaikun discloses wherein the detachable mirror (8) operates as a side panel in a three-panel system (as seen in fig 1), and is rotatably interchangeable with an opposite-side panel in the three-panel system (if the mirror 8 can be removed, it is inter changed with mirror 6, in Col 1 lines 1-8).

Regarding claim 14, C. Shaikun discloses wherein the second mirror is a non-stationary mirror (mirror 4 can be any type of mirror, such a door mirror which is non stationary, Col 2 Lines 30-35).

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Regarding claim 16, C. Shaikun discloses wherein the detachable mirror (8) maintains its position with respect to the second mirror (4) (mirror 8 is adjustable and a proper angle can viewed using the mirror, Col 1 Lines 9-19).

Regarding claim 17, C. Shaikun discloses wherein the detachable mirror (8) has a hinge indexing device (22, and as seen in fig 3), and the hinge indexing device comprises a spur gear.

Regarding claim 19, C. Shaikun discloses a mirror panel assembly (Fig 1) comprising: a detachable household or bathroom mirror (8); a rotation enabling device (22); and a removably attachable fastener (10); wherein the detachable mirror (8) is operably mounted onto a face of a second mirror (4) with removably attachable fastener (10) and operably positioned at a non-parallel angle (Col 1 lines 9-19, and as seen in fig 1) with respect to the face of the second mirror (4).

Regarding claim 20, C. Shaikun discloses wherein the detachable mirror (8), when combined with the second mirror (4) and positioned at the non-parallel angle, creates a multi-panel, multi-angled mirror system (as seen in fig 1).

Regarding claim 21, C. Shaikun discloses wherein the rotation enabling device comprises a living hinge (22), a continuous hinge, or a ping hinge, and the removably attachable fastener (10) comprises a clip, a clamp, a hanger, a bracket, a magnet, a removable adhesive, or a suction cup (10).

Regarding claim 27, the method of creating a portable three-way mirror system is inherently met by the disclosure of the prior art. C. Shaikun discloses wherein the detachable mirror (8) is operably mounted onto the face of, and

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adjustably angled (adjustable) by user with respect to (Col 1 lines 9-19, and as seen in fig 1), the second mirror (4).

Regarding claim 28, the method of creating a portable three-way mirror system is inherently met by the disclosure of the prior art. C. Shaikun discloses wherein the detachable mirror (8) is operably and adjustably angled by a user (adjustable) with respect to the second mirror (4).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over L. Marko (US Patent No. 1,402,532) in view of Christianson et al. (US Patent No. 5,416,635).

Regarding claims 11 and 12, L. Marko discloses the claimed invention as set forth above except for wherein the detachable mirror comprises plastic and comprises acrylic, polypropylene, polyethylene, polystyrene, or polycarbonate.

However, Christianson et al. teaches wherein the mirror comprises plastic, and comprises acrylic (see Christianson et al. Col 2 Lines 34-38, furthermore, an acrylic is a type of plastic).

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It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of L. Marko detachable mirror and design it to be made of a plastic acrylic such as Christianson et al. mirror because the mirror would be easy to manufacture, highly portable so that it can be conveniently carried, and is reliable and durable (see Christianson et al. Col 1 Lines 51-54).

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over C. Shaikun (US Patent No. 3,996,947) in view of Donnelly (US Patent No. 4,500,169).

C. Shaikun discloses the claimed invention as set forth above except wherein the hinge indexing device comprises a spur gear.

However, Donnelly discloses a hinge indexing device comprises a spur gear (see Donnelly Fig 7 numeral 56).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teachings of C. Shaikun hinge indexing device to have a spur gear of Donnelly for the purpose the spur gear will allow another design means for transmitting motion and adjusting the detachable mirror of C. Shaikun.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over L. Marko (US Patent No. 1,402,532) in view of C. Shaikun (US Patent No. 3,996,947).

L. Marko discloses the claimed invention as set forth above except wherein the removably attachable fastener comprises a clip, a hanger, a removably adhesive, or a suction cup.

However, C Shaikun discloses wherein the removably attachable fastener comprises a clip, a hanger, a removably adhesive, or a suction cup (fig 2 and 3, numeral 10).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of L. Marko that uses a door style hinge with a hinge system that uses a suction cup of C. Shaikun for the purpose of having another easy method of creating a portable three-way mirror by having another method of detaching/attaching a detachable mirror.

Furthermore, it is interpreted that both hinge structures are equivalent structures known in the art.

Response to Arguments

Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pranav V. Khatri whose telephone number is 571-272-8311. The examiner can normally be reached on M-F, 8:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pranav Khatri
Examiner
11/15/2005



EUNCHA P. CHERRY
PRIMARY EXAMINER